

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DON ASCARE,

Plaintiff(s),

vs.

MASTERCARD INTERNATIONAL  
INCORPORATED, d/b/a MasterCard  
Worldwide,

Defendant(s).

Case No. 4:10CV1979 JCH

**ORDER**

This matter is before the Court on Plaintiff's Motion to Unseal Plaintiff's Petition/Complaint, filed October 27, 2010. (Doc. No. 9). Upon consideration, the Court finds it lacks sufficient factual context to determine whether the communications at issue are subject to attorney/client privilege. Therefore, in an abundance of caution, the Court will deny Plaintiff's motion and leave the Complaint under seal at this time.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Unseal Plaintiff's Petition/Complaint (Doc. No. 9) is **DENIED** without prejudice.

Dated this 18th day of November, 2010.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE